there was no good impression created. The very attendance of 127 top business people of different countries of the world at the fag end of our India session on the Ist of February itself is an indication that there is a lot of interest and there is a lot of awareness.

SHRI PRAMOD MAHAJAN: Every year they meet...

SHRI PRANAB MUKHERJEE: And the investment is also coming. Earlier, in the whole of '80s, the level of investment in India from abroad was a few hundred million US dollars. We were talking of a few hundred millions. And nowadays we are talking in terms of billions, and the total investment, the direct foreign investment up to December, 1993, as I have already indicated, is 4.5 billion US dollars.

THE DEPUTY CHAIRMAN: Question No. 304.

Indo-German export promotion peoject

*304. SHRI JAGDISH PRASAD MATHUR: Will the Minister of COMMERCE be pleased to state:

(a) whether Government are aware that a German Organisation called Indo-German Export Promotion Project (IGEP) and similar other organisations are pursuing a project in India to compel carpet manufacturers to certify that no child weaver was employed by them, and that minimum wages were paid to the workers and a Swiss firm along with some others is also planning to hold surprise check in this regard; and

(b) if so, what is Government's reaction thereto ?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED): (a) A proposal for the introduction of voluntary labelling system in respect of carpets to certify production without employment of child labour and payment of minimum wages to carpet weavers was under consideration of the Carpet Export Promotion Council representatives of NGOs and the Indo German Export Promotion Project. The proposed labelling system was purely on a voluntary basis.

However, the Indo-German Export Promotion Project has withdrawn this initiative.

(b) Does not arise.

श्री जगदीश प्रसाद माथुर : महोदया इस सा प्रश्न को इतनी छोटी सी पृष्ठभूमि में नहीं देखा जा सकता। चाइल्ड लेबर के विषय में अमेरिका के अन्दर एक विशेष लॉ—पटिनेंट लॉ—आने वाला था, जो आने वाला है। तो मैं सरकार से जानना चाहता हूं कि जब इन्होंने कहा कि वालेंट्री था तो वालेंट्री का अर्थ क्या है ? क्या जो हमारे कारपेट वीवर्स हैं, उनके आर्गेनाइजेशन ने वालेंट्री किया था कि हम ऐसा करना चाहते हैं ? इसकी पृष्ठभूमि क्या है, यह बताने की कृपा करें। इस जवाब से लगता है कि जैसे हमारे वीवर्स ही चाहते थे कि हम यह बादा करेंगे कि हम पैसा दे रहे हैं, जिनको वे चाइल्ड लेबर नहीं हैं। तो वालेंट्री का अर्थ क्या है और वाइडर प्रोस्पेक्टिव में देखते हुए जो कि अमेरिका और दूसरे देश चाहते हैं कि चाइल्ड लेबर के नाम पर हमारे एक्सपोर्ट पर टैरिफ बढ़ा दिया जाए, इस पर गवर्नमेंट का कंसेप्शन क्या है, क्यों चाहते हैं। Where does the Government stand?

श्री कमालुद्दीन अहमद : यह बात सबको पता है कि खास तौर पर कारपेट इण्डस्ट्री में चाइल्ड लेबर के उपयोग की बात बहुत बड़े पैमाने पर बहुत

सी कंट्रीज में उठाई जा रही है, इसके लिये हमने मुख्तलिक तरीके से उसका जवाब दिया। हमने कहा कि इसमें लेबलिंग सिस्टम भी हम लगा रहे हैं, कोशिश कर रहे हैं कि चाइल्ड लेबर उसमें यूज न हो और एक्सपोर्ट प्रमोशन काउंसिल जो है, इसने खुद उसमें कुछ कोड आफ कंडक्ट्स बनाये हैं, एक्सपोर्टर्स के लिये और यह पाबन्दी लगाई है कि कोड आफ कंडक्ट्स की कोई वॉयलेशन न हो। अगर कोई एक्सपोर्टर या लूम ओनर जो है, वह इसका वॉयलेशन करते हुए पकड़ा गया तो उसको एक चांस पहले दिया जाएगा, फिर दूसरा चांस दिया जाएगा, उसके बाद उसको ब्लैक लिस्ट किया जाएगा, ऐसी बात हुई है।

दूसरे जो टोटल चाइल्ड लेबर को डील करने के सिलसिले में है, मिनिस्ट्री आफ लेबर उसके ताल्लुक से कर रही है।

श्री जगदीश प्रसाद माथुर : आपने कहा, हुई थी। यह जो कंडीशन लगाई गई है, यह अभी खत्म हो गई है या आपने बिदड़ा कर लिया है, इसकी स्थिति क्या है? कंडीशन लागू है या नहीं ?

श्री कमालुद्दीन अहमद : कंडीशन तो लागू है। इंडो-जर्मन जो आरगेनाइजेशन था, वह इस सीन से विदड़ा किया है।

श्री जगदीश प्रसाद माथुर : इसका अर्थ यह है कि भारत सरकार सिर्फ स्वयं ही देखेगी या विदेशी भी देखगे ? इसी से छूता हुआ जो हिस्सा है, जिसे मैंने मांगा है कि स्विस फर्मे कर रही है कि वे बराबर आकस्मात जाकर जांच करेंगे, तो यह स्वयं सरकार की तरफ से है अथवा विदेशियों के व्यवहार में है ? आपने ऐसा गोलमोल जवाब दिया है, वालेंट्री का मतलब.....

THE DEPUTY CHAIRMAN: Is it the second supplementary that you are asking ?

SHRI JAGDISH PRASAD MATHUR : No, Madam, first question is not yet replied.

आपने कहा कि बिदड़ा कर रहे हैं, विदड़ा किसने किया है और यह स्कीम आपकी है या जर्मन सरकार की, जर्मन एक्सपोर्ट कांउसिल की मदद से आप कर रहे हैं ? वाट इज दि पोजीशन ?

श्री कमालुद्दीन अहमद : बहुत साफ तरीके से जवाब में कहा गया है कि जो जर्मन आरगेनाइजेशन इसमें थी, उन्होंने बिदड़ा किया है। रहा कोड आफ कंडेक्ट, जो चीजें क्वालिटी तौर पर करने के लिये एक्सपोर्ट प्रमोशन कांउसिल ने अपना कोड आफ कण्डेक्ट बनाया है, वह बराबर जारी है, और बराबर उसकी पाबन्दी की जायेगी।

श्री जगदीश प्रसाद माथुर : दूसरा सवाल था कि स्विस फर्म जो है देख रही है ? आपकी क्या जानकारी है ? आपने ऑन दि स्पॉट चैकिंग की है और अगर की है तो किसने की है और क्या भारत सरकार भी ऐसी चैकिंग कर रही है ?

श्री कमालुद्दीन अमहद : मैंने अभी कहा और दोबारा फिर कह रहा हूं आपसे कि यह जो एक्सपोर्ट प्रमोशन कांउसिल है, इसने अपने कुछ कोड़ ऑफ कंडक्ट बनाए हैं। इसमें चाईल्ड लेबर कहां यूज हो सकती है, फैमिली बिजनैस है तो उसमें चाईल्ड लेबर के लिए क्या स्कोप है, जो कस्टम बिजनैस करवाया जाता है उसमें चाईल्ड लेबर की मुमानियत है, इस किस्म की चीजों की पाबंदी हो रही है या नहीं, यह देखा जा रहा है और यह काम एक्सपोर्ट प्रमोशन कांउसिल करेगी।

श्री जगदीश प्रसाद माथुर : स्विस वालों ने देखा कि नहीं देखा ? जर्मन वालों ने देखा कि नहीं देखा ? जर्मन पेपर में छपा है और जवाब मुझे मिला है यहां की एम्बैसी से। एम्बैसी ने मुझे पेपर भेजा है, जर्मन पेपर की कटिंग है, उसमें लिखा है तो मैं जानना चाहता हूं कि .. (व्यवधान)

उपसभापति : उसमें क्या लिखा है जरा आप बोलिए ना ?

श्री जगदीश प्रसाद माथुर : उसमें लिखा है कि ये लोग स्विस वाले कर रहे हैं ।

उपसभापति : क्या कर रहे हैं ?

श्री जगदीश प्रसाद माथुर : चैकिंग कर रहे हैं । जाकर ऑन दि स्पॉट चैकिंग करते हैं कि चाईल्ड लेबर है या नहीं । फॉरेन एजेंसीज कर रही हैं ।

उपसभापति : माथुर साहब, अगर आपने अपना सवाल टू दि कांटेक्ट किया होता तो जवाब सही आता । मंत्री जी, माथुर साहब का कहना यह है कि जर्मन आर्गनाइजेशन ने तो बिदड़ा कर लिया है पर स्विस भी क्या कोई ऐसा रैंडम चैक कर रहे हैं कि चाईल्ड लेबर है या नहीं ?

THE MINISTER OF COMMERCE (SHRI PRANAB MUKHERJEE): Madam, I would like to clarify the position. It is just a question of relationship between the customer and the seller. When the question came up and some allegation was made that child labour is being used in the carpet industry and in certain other industries, then an arrangement was made in certain areas where the Export Promotion Council were offered the opportunity to come and see for themselves. We have also taken various measures to ensure that misuse of child labour does not take place. But a mere inspection or getting the satisfaction of an inspecting agency from outside does not mean that Government's own control over child labour or Government's own role or its own rules do not remain applicable. Those are certainly there. But sometimes it does happen and it is nothing unusual. If I am genuine, I may offer to my customer to satisfy himself that what he is saying is not correct and they can inspect themselves as I sometimes offer them an inspection of the quality. Therefore, it does not infringe our laws in any way.

SHRI SANJAY DALMIA: I am not trying to support the child labour. What I want to know is whether similar restrictions are being placed in relation to carpets and other handloom goods also by other countries or whether these restrictions are being imposed by these people only.

SHRI PRANAB MUKHERJEE: These questions are being raised in respect of certain other countries also. But mainly, these restrictions are applicable to developing countries.

SHRI S. JAIPAL REDDY: It is a typical example of imposition of non-tariff barriers on exports from the developing countries, including India. From the answer of the Minister it appears that the Indo-German Export Promotion Council has become a super GATT organistion. They are trying to impose barriers far beyond the scope contemplated under the final Act of GATT. If the German firm is allowed to inspect for itself whether child labour is used or not, it would be atrocious. Then, what is the Government meant for? How can the Government allow itself to be privy to this provision? It cannot be a part of the business.

THE DEPUTY CHAIRMAN: Now, let him answer.

SHRI PRANAB MUKHERJEE: I agree with the first part of the observation of the hon. Member that this is one way of putting non-tariff restrictions on the exports from the developing countries. (*Interruptions*) But so far as the question of inspection by and satisfaction of the customer is concerned verify the quality through examination, such a formal...(*Interruptions*) Let me complete. This type of inspection on the part of the customer is not unusual. Here, it was a question of finding out whether child labour was there. In fact this is the issue which we are fighting in the G. A. T. T. that 'You are crossing the limit; instead of going into the quality, instead of going into the price, you are bringing in certain issues with which you are not linked because

there could be a different approach altogether'. It is for every country. In every country there is a child labour law. The Government of the day is responsible for the welfare of its own people Extraneous organisations like the Export Promotion Project--it is not the Export Promotion Council; the Export Promotion Council is the Indian counter part; the German counterpart is the Export Promotion Project--cannot say. There is no material difference between what you are suggesting and what we are doing. But this was an experiment where the Export Promotion Council also agreed. I am not going into the question of sovereignty now; whether, legally, we should do it or not. But in order to prove that the allegations which they made were not correct, they agreed and they suggested you come and inspect.

DR. MURLI MANOHAR JOSHI: Would the hon. Minister assure that in future, nothing like this would happen? Would you assure us ?

THE DEPUTY CHAIRMAN: Dr. Joshi, please sit down.

SHRI S. JAIPAL REDDY: Madam, would you allow me for a minute?

THE DEPUTY CHAIRMAN: Mr. Jaipal Reddy, you have put the question.

SHRI S. JAIPAL REDDY: I am thankful to the hon. Minister for having agreed with my first formulation, at any rate. The point I am making is this. An importing, foreign, firm is entitled to inspect in respect of the quality, surely. It is they who import the product and, therefore, they have every right in regard to inspection of the quality. But if they inspect with reference to the labour conditions, the Export Promotion Council should not permit them to do so. If the agreement between the exporter and the importer is such as to contravene the legal provisions of the country, the Government of India must clamp down upon the exporting firm and see that such a thing is not allowed to be done. Would the Government assure this?

SHRI PRANAB MUKHERJEE: It is a general principle, Madam.

THE DEPUTY CHAIRMAN: Okay.

SHRI S. JAIPAL REDDY: What about implementation?

THE DEPUTY CHAIRMAN: Mr. Jaipal Reddy, you have had your say.

SHRI S. JAIPAL REDDY: Madam, I am thankful to the hon. Minister for having agreed with us. But what about the implementation of this general principle? That is the question.

SHRI PRANAB MUKHERJEE: Of course, it would be implemented. That is why we are fighting. If we do not want to implement it, why should we fight?

DR. MURLI MANOHAR JOSHI: I would put a question to the hon. Minister and I would like to have a categorical answer. If the importing country or the importing agency wants to inspect in every other aspect of our production techniques and our production conditions, would our export promotion councils permit them? Should the importing countries or the importing agencies be allowed to go into the social conditions of the labour or the environmental conditions in which they are working? There would be an extension of this. If you allow this to happen at one place, it would happen at other places as well. Would the hon. Minister assure us? You may say that it is a general principle. But would you assure us that such a thing would not happen in future? Would you see to it that only those conditions

are imposed, only those things are permitted, in the import-export contract, which do not violate a single law of this country, which do not violate the sovereignty of the country?

SHRI PRANAB MUKHERJEE: As I mentioned, there is no question of allowing any external agency to come and inspect. Even in the case of these carpets, they did not come and examine. It is our Export Promotion Council, which is owned by us, it is our manufacturers, who suggested....

DR. MURLI MANOHAR JOSHI: Why?

SHRI S. JAIPAL REDDY: Why should we suggest at all ?

SHRI PRANAB MUKHERJEE: Let us not go into that aspect. The first point which I have agreed to is that surely, with regard to the laws of the country, the conditions and other things, no extraneous agencies should have the right and authority to examine and inspect them. Even I am prepared to go to that extent that if our export is affected, we should be prepared to accept it. For just getting that I am not surely going to compromise that area. This is one of the areas where we are fighting, and there is no difference of opinion on this issue.

THE DEPUTY CHAIRMAN: I think enough answers have been given. We go to Question No. 305 now.

Ban on import of sea food by France

*305. SHRI SANGH PRIYA GAUTAM† :
DR. NAUNIHAL SINGH :

Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that the French Government has banned the import of sea food from India;

(b) if so, the reasons therefor;

(c) the details of sea food being exported to France; and

(d) the details of various products being exported to that country alongwith their export volume and valuation?

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED): (a) to (d) A statement is laid on the table of the House.

Statement

(a) Yes, Sir, Recently, the French Govt. issued decree to the effect that import of fish and fishery products from all countries be restricted to units which are at least equivalent with European Community standards. The ban imposed on India was lifited upon intervention by our Mission in France.

(b) On account of agitation by French Fishermen on import of cheap fish from Russia, U.K. etc. the French Govt. imposed the above restriction.

(c) and (d) The major items of export are shrimp, squid, clams, cuttlefish, lobsters etc. in frozen form. The item-wise details of Indian marine products exported to France

†The question was actually asked on the floor of the House by Shri Sangh Priya Gautam